

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

2566USOP

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/807599INTERNATIONAL APPLICATION NO.
PCT/JP99/05705INTERNATIONAL FILING DATE
October 15, 1999PRIORITY DATE CLAIMED
October 16, 1998

TITLE OF INVENTION

Nitrogen-containing Condensed Heterocyclic Derivatives, Their Production and Agent

APPLICANT(S) FOR DO/EO/US

Yuji ISHIHARA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)). *
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

* This includes Specification 266 total pages, including
Claims 1-42 (9 pages) and Abstract (1 page).

U.S. APPLICATION NO. (Required for U.S. Filing)

09/807599

INTERNATIONAL APPLICATION NO.
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- 17.
- ☒
- The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS** PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|--------------------|--------------|--------------|-----------|
| Total claims | 42 - 20 = | 22 | X \$18.00 |
| Independent claims | 6 - 3 = | 3 | X \$80.00 |

☒ **MULTIPLE DEPENDENT CLAIM(S)** (if applicable) + \$260.00

TOTAL OF ABOVE CALCULATIONS =

☒ Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED =

Amount to be refunded: \$

charged: \$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 500799 in the amount of \$ 1,536.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 500799. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 23,115

SIGNATURE:

Philippe Y. Riesen, Reg. No. 35,657
Mark Chao, Ph.D., Reg. No. 37,293

Date: April //, 2001

09/ 807599

JC03 Rec'd PCT/PNO

13 APR 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: tba
Filed: tba
1st Inventor: Yuji ISHIHARA
For: Nitrogen-containing Condensed Heterocyclic Derivatives,
Their Production and Agent
Atty. Dkt. No. 2566 US0P

Art Unit: tba
Examiner: tba
Allowed:
Batch:
Paper No.:

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

USPS EXPRESS MAIL LABEL. No. EL 784119275 US

DATE IN: April 13, 2001

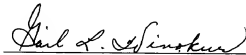
Itemized Papers/Items:

1. This certificate and a Return Receipt Postcard (2 pgs.)
2. Transmittal Letter for Filing under 35 USC 371 (2 pgs. X 2)
3. English Translation of the International Application as filed in Japanese [This includes Specification 266 total pages, including Claims 1-42 (9 pgs.), and Abstract (1 pg)
4. Executed Declaration/Power of Attorney (4 pgs.)
5. Information Disclosure Statement (2 pgs.) with PTO form 1449 (2 pgs.), and copies of IDS citations (26), and the International Search Report (4 pgs.)
6. Executed Assignment (2 pgs.) and assignment cover sheet (1 pg. X 2)

The undersigned hereby certifies that the above itemized papers are together being deposited with the Express Mail Post Office to Addressee service of the United States Postal Service (USPS) in an envelope with sufficient postage, having the USPS Express Mail Label No. shown above, and addressed to:

BOX PCT
Commissioner for Patents
Washington, D.C. 20231.

on this date, 4/13/01.



Dated: 4/13/01

Gail L. Winokur